

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

**JUDY BOOTHE, and
PATRICK E. BOOTHE,**

Plaintiffs,

V.

**MARSHALL BROWNING HOSPITAL and
K. RAJASEKHARA WARRIER, MD,**

Defendants.

Case No. **12-cv-025-MJR-SCW**

**MEMORANDUM AND ORDER ON
THRESHOLD JURISDICTIONAL REVIEW**

REAGAN, District Judge:

On January 10, 2012, Plaintiffs Judy Boothe and Patrick E. Boothe filed suit in this United States District Court. Plaintiffs' claims stem from how Patrick E. Booth was treated when he suffered a stroke and was taken to Marshall Browning Hospital in DeQuoin, Illinois.

The case was randomly assigned to the undersigned District Judge and became ripe for threshold review upon the entry of appearance by one of the named Defendants on March 23, 2012.

This Court's first task is to verify that subject matter jurisdiction lies. *See, e.g., Avila v. Pappas*, 591 F.3d 552, 553 (7th Cir. 2010); *Winters v. Fru-Con, Inc.*, 498 F.3d 734, 740 (7th Cir. 2007). Plaintiffs invoke subject matter jurisdiction under the federal diversity statute, 28 U.S.C. 1332, which requires complete diversity between the parties and an amount in controversy exceeding \$75,000. Although the amount in controversy clears the over-\$75,000 hurdle, the complaint omits certain information the Court needs to verify that the parties are completely

diverse.

First, the complaint does not establish the citizenship of *any* of the parties. We are told that Mr. and Mrs. Boothe reside in Kentucky, and that Dr. Warrier resides in Illinois. Residence does not equate to citizenship, and for diversity purposes it is citizenship which matters. See 28 U.S.C. 1332(c)(2). Furthermore, the complaint fails to state the nature of the Hospital's business structure, and the required information regarding its citizenship.

The Court hereby **DIRECTS** Plaintiffs to file a Jurisdictional Memorandum clearly stating the citizenship of each and every party to this litigation. The Jurisdictional Memorandum shall be filed by March 30, 2012.

DATED: March 26, 2012

s/ Michael J. Reagan

MICHAEL J. REAGAN

UNITED STATES DISTRICT JUDGE